

10/571196

IAP6 Rec'd PCT/PTO 08 MAR 2006

Docket No.: 0209.1007

**UNITED STATES PATENT & TRADEMARK OFFICE**

|                   |   |
|-------------------|---|
| Examiner: Unknown | Art Unit: Unknown   |
| Applicant:        | SUNG, Young Chul, et al.  |
| Serial No.:       | To be assigned  |
| Filed             | Herewith  |
| For:              | <b>VACCINE COMPOSITION COMPRISING<br/>IL-12 ADJUVANT ENCAPSULATED IN<br/>CONTROLLED-RELEASE MICROSPHERE</b> |

**INFORMATION DISCLOSURE STATEMENT**

March 8, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to M.P.E.P. §609 and 37 C.F.R. §§1.56, 1.97-1.99, Applicants herewith submit form PTO-1449 (1 page), which lists references cited in the International Search Report dated December 31, 2004 and of which Applicants are aware for the present application. A copy of the International Search Report is enclosed herewith. It is noted that the Applicants have not enclosed copies of the U.S. patents and U.S. patent application publication cited on form PTO-1449.

This submission does not represent that a search has been made or that no better art exists. While the term "references" is used in citing the documents called to the Examiner's attention herein, Applicants do not make any admission that each or all of them are "prior art" references within the meaning of the statutory and case law.

Applicants reserve the right to contend, where appropriate, that a patent asserted against any claim of the present application is not prior art under the facts and the law.

10/571196

IAP6 Rec'd PCT/PTO 08 MAR 2006

Applicants also reserve the right to present appropriate arguments and/or evidence to establish patentability over the references, should one or more of the references be applied against the claims of the present application.

Applicants request that the Examiner independently determine those items which the Examiner would consider the most pertinent of all the references cited herein.

This Information Disclosure Statement is filed with the application and is therefore within three (3) months of the filing date of this application. Accordingly, this document complies with the requirements of 37 C.F.R. Section 1.97(b). It is respectfully requested that the references cited in the accompanying PTO-1449 form be considered and made of record.

Respectfully submitted,

LUCAS & MERCANTI, LLP



Michael N. Mercanti

Registration No. 33,966

LUCAS & MERCANTI, LLP  
475 Park Avenue South  
New York, New York 10016  
Phone: 212-661-8000  
Fax: 212-661-8002

"Express Mail" mailing label no. EV 685 804 719 US

Date of Deposit March 8, 2006

I hereby certify that this correspondence and/or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, in an envelope addressed to: "Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 LUCAS & MERCANTI, LLP

By:

  
Carla Santos

|  |   |   |
|--|---|---|
| <b>INFORMATION DISCLOSURE CITATION</b><br><i>(Use several sheets if necessary)</i> | <b>Docket Number (Optional)</b><br>0209.1007    | <b>Application Number</b><br>10/571196<br><i>To be assigned</i> |
|  | <b>Applicant(s)</b><br>SUNG, Young Chul, et al. |   |
|  | <b>Filing Date</b><br>Herewith                  | <b>Group Art Unit</b><br>Unknown                                |

| U.S. PATENT DOCUMENTS |     |                 |            |                 |       |          |                            |
|-----------------------|-----|-----------------|------------|-----------------|-------|----------|----------------------------|
| *EXAMINER INITIAL     | REF | DOCUMENT NUMBER | DATE       | NAME            | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|                       | A1  | 6,168,923       | 01/02/2001 | Scott, et al.   |       |          | 03/01/1999                 |
|                       | A2  | 5,603,961       | 02/18/1997 | Suzuki, et al.  |       |          | 09/30/1993                 |
|                       | A3  | 6,303,114       | 10/16/2001 | Metzger, et al. |       |          | 03/05/1998                 |
|                       |     |                 |            |                 |       |          |                            |
|                       |     |                 |            |                 |       |          |                            |

| U.S. PATENT APPLICATION PUBLICATIONS |     |                 |            |                           |       |          |                            |
|--------------------------------------|-----|-----------------|------------|---------------------------|-------|----------|----------------------------|
| *EXAMINER INITIAL                    | REF | DOCUMENT NUMBER | DATE       | NAME                      | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|                                      | A4  | US2002/0051,749 | 05/10/2002 | Faisant, Nathalie; et al. |       |          | 11/16/2001                 |
|                                      |     |                 |            |                           |       |          |                            |
|                                      |     |                 |            |                           |       |          |                            |
|                                      |     |                 |            |                           |       |          |                            |

| FOREIGN PATENT DOCUMENTS |     |                 |            |         |       |          |             |    |
|--------------------------|-----|-----------------|------------|---------|-------|----------|-------------|----|
|                          | REF | DOCUMENT NUMBER | DATE       | COUNTRY | CLASS | SUBCLASS | Translation |    |
|                          |     |                 |            |         |       |          | YES         | NO |
|                          | A5  | WO 02/36169 A2  | 05/10/2002 | PCT     |       |          |             |    |
|                          |     |                 |            |         |       |          |             |    |
|                          |     |                 |            |         |       |          |             |    |
|                          |     |                 |            |         |       |          |             |    |
|                          |     |                 |            |         |       |          |             |    |

| OTHER DOCUMENTS |  |  | (Including Author, Title, Date, Pertinent Pages, Etc.) |
|-----------------|--|--|--|
|                 |  |  |  |
|                 |  |  |  |

|   |                        |
|---|------------------------|
| <b>EXAMINER</b>   | <b>DATE CONSIDERED</b> |
| EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |                        |